
Minutes
Regular Meeting
February 12, 2014

Present: Mayor Kenneth F. Neilson, Councilmen Garth Nisson, Thad Seegmiller, Kress Staheli, Jeff Turek, City Attorney Jeff Starkey, City Manager Roger Carter, City Recorder Danice Bulloch, Deputy Recorder Tara Pentz, Public Works Director Mike Shaw, Administrative Services Manager Kimberly Ruesch, Finance Supervisor Brian Brown, Community Development Director Drew Ellerman, Power Director Kelly Carlson, Police Chief Jim Keith, Audience: Jim Raines, Rex Papa

Councilmen Ronald Truman excused from the meeting and Councilman Kress Staheli and City Attorney Jeff Starkey will be arrive late to the meeting.

Meeting commenced at 6:00 P.M.

Invocation: Councilman Turek

Pledge of Allegiance: Councilman Seegmiller

1. APPROVAL OF THE AGENDA

Councilman Seegmiller made a motion to approve the agenda. Councilman Nisson seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

2. ANNOUNCEMENTS

Mayor Neilson stated Saturday, February 22, 2014 is the Dogtown Marathon for Washington City.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. **CONSENT AGENDA**

APPROVAL OF MINUTES: Consideration to approve the minutes from the City Council Meetings of 01/21/2014 and 01/22/2014.

BOARD AUDIT REPORT: Consideration to approve the Board Audit Report for January

RENEWAL OF ALCOHOL LICENSES:

- A. Consideration to approve the following Off-Premises License for:
Freeway Chevron, Red Cliff Station, First Stop, Nick's Pro Shop
- B. Consideration to approve the following On-Premises License for:
St. Helen's of Washington, Peppers Cantina

Councilman Turek made a motion to approve the consent agenda. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:

Councilman Nisson	Aye
Councilman Seegmiller	Aye
Councilman Turek	Aye

5. **FINANCE**

- A. Update and review of the 2nd Quarterly Financial Report. Kimberly Ruesch, Administrative Services Manager

Administrative Services Manager Kimberly Ruesch reviewed the Quarterly Financial Report with the Council.

6. **PUBLIC HEARINGS AND RELATED ORDINANCES/RESOLUTION**

- A. Public Hearing for consideration to approve a Resolution to Open and Amend the 2013/2014 FY Budget. Kimberly Ruesch Administrative Services Manager

Administrative Services Manager Kimberly Ruesch reviewed the amendments to the 2013/2014 FY Budget with the Council.

* see attached

Councilman Turek made a motion to close the public hearing. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:

Councilman Nisson	Aye
-------------------	-----

Councilman Seegmiller Aye
Councilman Turek Aye

B. Consideration to approve a Resolution amending the 2013/2014 FY Budget.

Councilman Seegmiller made a motion to approve a Resolution amending the 2013/2014 FY Budget. Councilman Turek seconded the motion; which passed with the following role call vote:

Councilman Nisson Aye
Councilman Seegmiller Aye
Councilman Turek Aye

C. Public Hearing for consideration to approve an Ordinance declaring the annexation of property known as North of Green Springs Annexation to the municipality of Washington City. Applicant: School Institutional Trust Lands Administration.

Community Development Director Drew Ellerman reviewed:

The applicant is wishing to annex 29.302 acres into the northwest quarter of the City Limits. This particular area is directly north of the Northbridge Estates subdivision, located at approximately 1400 West 1900 North.

The proposed annexation request falls within the approved Washington City Master Annexation Area. It has also been through the standard application process with Washington County and is here before the Council as the final stage in the annexation requirements.

The applicant is seeking to have the property zoned at this time as well. They are seeking the adjoining zoning designations of the properties abutting at the east boundaries, as shown in the exhibits attached hereto (R-1-8 zoning for the 8.852 ac. on the north and R-1-15 for the 20.451 ac. on the south). Recently the adjoining property was through the zone change application process and approved for zone changes as outlined.

Staff recommends that the City Council approve the request for Annexation into Washington City for the 29.302 acres at the north boundary of the Northbridge Estates subdivision and located at approximately 1400 West 1900 North.

Councilman Seegmiller clarified the location of this property with regard to the prior zone change with the adjacent property.

Community Development Director Ellerman reviewed the location of the zones on the adjacent parcel.

Councilman Seegmiller made a motion to close the public hearing. Councilman Nisson seconded the motion; which passed with the following role call vote:

Councilman Nisson Aye

Councilman Seegmiller Aye
Councilman Turek Aye

D. Consideration to approve an Ordinance declaring the Annexation of territory to the municipality of Washington City.

Councilman Seegmiller made a motion to approve an Ordinance declaring the Annexation of territory to the municipality of Washington City to include the zoning designations as referenced. Councilman Turek seconded the motion; which passed with the following role call vote:

Councilman Nisson Aye
Councilman Seegmiller Aye
Councilman Turek Aye

7. ORDINANCES

A. Consideration to approve an Ordinance of Washington City creating an Employee Appeals Board and approving and adopting procedures and rules for the conduct of employee appeals and clarifying the term and duration of employment of individuals employed by Washington City. Ruth Holyoak, Human Resource Director

City Manager Roger Carter explained this is not a change of procedure, but rather reflects a change to state code.

*Councilman Kress Staheli and City Attorney Jeff Starkey arrived at 6:44 P.M.

City Attorney Starkey reviewed the changes to the Employee Appeals Board with Council.

City Manager Carter noted this does not change the structure of our existing Employee Appeals Board.

Councilman Seegmiller asked if Item 1A should state the City Attorney cannot serve as the Administrative Law Judge.

City Attorney Starkey stated with the approval of our Administrative Law Judge this has been noted, but he does not have an issue noting it in the document.

City Manager Carter reviewed the types of items, which could be heard by the Employee Appeals Board.

Councilman Seegmiller made a motion to approve an Ordinance of Washington City creating an Employee Appeals Board and approving and adopting procedures and rules for the conduct of employee appeals and clarifying the term and duration of employment of individuals employed by Washington City. Councilman Turek seconded the motion; which passed with the following role call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

**B. Consideration to approve an Ordinance amending Ordinance 2003-25
Adopting the Underground Power Construction Standards and Specifications.**

Power Director Kelly Carlson reviewed:

Council Authorized the upgrades to all city street lighting to induction type lighting for energy efficiency through the Siemens Project. This Ordinance will update the Standards pertaining to new street light installation. He reviewed the changes with Council. He would like to ask Council if they would require new subdivisions be required to have induction lighting.

Councilman Turek asked what the plans are with the current inventory.

Power Director Carlson stated he does not know what to do with the surplus at this time. Trying to sell it would most likely only bring 10 cents on the dollar.

City Manager Carter explained there are two questions at this point, do we use up the surplus lighting for replacement lights in the old subdivision. Also, do we require new subdivision developments install induction lighting.

Power Director Carlson reviewed this portion of the Ordinance with Council. He would recommend, if we allow them to continue with High Pressure Sodium lighting, then Washington City would not offer a maintenance agreement. However, if they move to the induction lighting, we would be willing to offer a maintenance agreement.

Council discussed the current maintenance agreements for existing subdivisions.

Councilman Seegmiller clarified with this Ordinance, the new Washington City standard going forward will be induction lighting.

Power Director Carlson stated this is correct.

Councilman Turek commented if this is the new Washington City standard, then this is what should be required by the developers.

Councilman Turek made a motion to approve an Ordinance amending Ordinance 2003-25 Adopting the Underground Power Construction Standards and Specifications. Councilman Staheli seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>

8. RESOLUTION

A. Consideration to approve a Resolution authorizing and approving Generator Relocation Agreement and related agreements and taking other actions all in connection with the relocation by Washington of certain generators from Hurricane's and Santa Clara's Generating Facilities to Washington's Generating Facility; and related matters. Kelly Carlson, Power Department Director

Power Director Kelly Carlson reviewed:

Council authorized the construction of the Washington City Generation Facility last year. The documents attached are required by UAMPS to be executed by all parties involved to allow for the relocation of the Washington Generators to our new facility. This is a formality and simply cleans up all of the contract documents related to the Washington Generators, which are legally owned by UAMPS until the bonds are retired.

Staff recommends approval of the following documents to allow for the relocation of the Washington City Generators from other facilities; 1) the authorizing resolution for adoption by City Council; 2) two Generator Relocation Agreements (one for Hurricane generators and one for the Santa Clara generators); (3) the Amended Capacity Purchase Agreement; (4) new Operating and Maintenance Agreement; (5) Participant Certificate for execution in connection with the foregoing.

Councilman Staheli made a motion to approve a Resolution authorizing and approving Generator Relocation Agreement and related agreements and taking other actions all in connection with the relocation b Washington of certain generators from Hurricane's and Santa Clara's Generating Facilities to Washington's Generating Facility; and related matters.. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

9. LEASE PURCHASE

A. Consideration to approve a Lease Purchase for a 2014 Freightliner Digger Derrick. Kelly Carlson, Power Department Director

Power Director Kelly Carlson reviewed the Lease Purchase agreement from Zions Bank for the 2014 Freightliner Digger Derrick in the amount of \$236,647.74 with 1.4% interest rate on a 5 year plan.

Councilman Turek made a motion to approve a Lease Purchase with Zions Bank for a 2014 Freightliner Digger Derrick in the amount of \$236,647.74. Councilman Seegmiller seconded the

motion; which passed with the following role call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

10. SURPLUS

A. Consideration to approve disposal of surplus property. Mike Shaw, Public Works Director

Public Works Director Mike Shaw reviewed:

All surplus property will be sold as a sealed bid and publicly opened. Property will be sold to the highest bidder. Attached is the list of surplus property and bidding instruction.

Councilman Staheli made a motion to approve disposal of surplus property. Councilman Turek seconded the motion; which passed with the following role call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

11. MEETING DATE

A. Consideration to move the City Council Workshop of June 24, 2014 to another date as to not interfere with the the Washington County Primary Election. Danice Bulloch, City Recorder

City Recorder Danice Bulloch reviewed:

Meetings which fall on the same day of elections are either cancelled or moved to a different date as to not interfere with the voting.

Councilman Turek recommended moving the Workshop from June 24, 2014 to June 25, 2014 and have it begin at 5:00 P.M.

Councilman Turek made a motion to move the City Council Workshop of June 24, 2014 to June 25, 2015 beginning at 5:00 P.M. as to not interfere with the the Washington County Primary Election. Councilman Nisson seconded the motion; which passed with the following role call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

12. REPORT OF OFFICERS FROM ASSIGNED COMMITTEE

Councilman Staheli stated CEC is covering local basketball games tonight. They are doing well financially, and the partnership with the college is very positive.

Councilman Turek stated the Youth Council spend the day on Monday at the Legislature. They had a great trip, and will be reporting to Council soon.

13. CITY MANAGER REPORT

City Manager Carter stated we received approval from the US Fish and Wildlife for our trail. There is a 15 day comment period, but we bid this out and hope to begin construction Mid March. We are making progress with the Sunrise Valley Bridge. The agreement for transfer of the bridge is being drafted. They will most likely be recommending improving 3650 South for the traffic flow. He will be bringing those times to Council once they are closer in development.

14. CLOSED SESSION

A. To discuss pending or potential litigation.

Councilman Turek made a motion to move into Closed Session to discuss pending or potential litigation. Councilman Staheli seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

Council moved into Closed Session at 7:48 P.M.

Council left the Closed Session returned to adjourn the Regular Meeting at 9:00 P.M.

15. ADJOURNMENT

Councilman Turek made a motion to adjourn the meeting. Councilman Staheli seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>


Meeting adjourned at 9:00 P.M.

Passed and approved this 26th day of February 2014.



Washington City

Attest by:


Kenneth F. Neilson, Mayor



Danice B. Bulloch, CMC
City Recorder

